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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,120	12/17/2001	Stefan Y. Mangold	US 010334	2420
24737	7590	10/17/2006	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS			MOORE JR, MICHAEL J	
P.O. BOX 3001			ART UNIT	
BRIARCLIFF MANOR, NY 10510			PAPER NUMBER	
			2616	

DATE MAILED: 10/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/023,120

Applicant(s)

MANGOLD ET AL.

Examiner

Michael J. Moore, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2006.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-23 and 25-27 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 1-9 and 11-18 is/are allowed.
6) ☒ Claim(s) 19-22 and 25-27 is/are rejected.
7) ☒ Claim(s) 23 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 14 February 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Claim Objections

Amendments made by Applicant to claims **13, 19-23, and 25-27** to obviate the claim objections presented in the previous Office Action are proper and have been entered. These objections have been withdrawn.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims **19-22 and 25-27** are rejected under 35 U.S.C. 102(e) as being anticipated by Sherman (U.S. 7,031,274). *Sherman* teaches all of the limitations of the specified claims with the reasoning that follows.

Regarding claim **19**, “a system local area network station for receiving and transmitting data over a wireless channel between a plurality of first stations and a plurality of second stations in a wireless local area network (WLAN) having an access point (AP)” is anticipated by WLAN systems 101, 103, 105 in Figure 1 containing stations 111, 113, 115 (first and second stations) as well as access points 112, 114, 116 as spoken of on column 2, line 62 – column 3, line 14.

"A receiver means for receiving data on the wireless channel" is anticipated by wireless antenna 203 (receiver means) of the STA/AP of Figure 2.

"A centralized controller and hybrid coordinator (CCHC) circuit configured to allocate a predetermined time interval for each of the first and second stations to initiate data transmission onto the wireless channel" is anticipated by the hybrid AP (CCHC circuit) spoken of on column 3, lines 3-14, that supports both 802.11 (first stations) and H/2 standards (second stations), and also allocates 802.11 and H/2 phases (time intervals) within the superframe shown in Figure 5.

"The CCHC circuit being further configured to transmit a data packet to the plurality of first and second stations over the wireless channel if the predetermined time interval is less than the time left before a scheduled start of a next frame by the plurality of second stations" is anticipated by the 802.11 CFP data transmission (predetermined time interval) in Figure 5 up until the transmission of a blocking frame sequence (X) (time left before start of H/2 MAC frame transmission) as spoken of on column 5, lines 41-67.

Lastly, "a signal processing circuit coupled to the CCHC to transmit and receive signals to and from the plurality of first and second stations, the signal processing circuit processing the received signals to permit the plurality of second stations to transmit a data packet to the AP over the wireless channel, the data packet including a shorter duration than the predetermined time interval" is anticipated by the data processing component 207 of STA/AP 201 of Figure 2 that receives data entered from a computer

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unit and transmits received data from the radio unit to a computer unit of the WLAN as spoken of on column 3, lines 15-23.

Regarding claim **20**, “a transmitter means for transmitting data on the wireless channel” is anticipated by wireless antenna 203 (transmitter means) of the STA/AP of Figure 2.

Regarding claim **21**, “wherein the CCHC further operates to inhibit transmission from the plurality of first stations when permitting the plurality of second stations to transmit a data packet” is anticipated by the use of a management frame “X” to permit blocking and spoofing before H/2 transmissions as shown in Figure 5 and spoken of on column 5, lines 50-67.

Regarding claim **22**, “wherein the CCHC further operates to control the wireless channel within a specified range of time $[t_1, t_2]$ to permit the plurality of second stations to transmit a data packet” is anticipated by the H/2 MAC frame phase (range of time) within the CFP shown in Figure 5.

Regarding claim **25**, “wherein the CCHC further operates to permit transmission of the plurality of first and second stations to transmit a data packet having a shorter duration than the predetermined time interval over the wireless channel if the predetermined time interval is less than the time left before a scheduled start of a next frame by the plurality of second stations” is anticipated by the 802.11 CFP data transmission (predetermined time interval) in Figure 5 up until the transmission of a blocking frame sequence (X) (time left before start of H/2 MAC frame transmission) as spoken of on column 5, lines 41-67.

Regarding claim **26**, "wherein the plurality of first stations includes 802.11 compliant systems" is anticipated by the 802.11 stations spoken of on column 3, lines 8-14.

Regarding claim **27**, "wherein the plurality of second stations includes HIPERLAN/2 compliant systems" is anticipated by the HIPERLAN/2 stations spoken of on column 3, lines 8-14.

Allowable Subject Matter

3. Claims **1-9 and 11-18** are allowable over the prior art of record.
4. Claim **23** is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
5. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims **1-9, 11-18, and 23**, these claims are allowable for the reasons indicated in the previous Office Action:

Response to Arguments

6. Applicant's arguments filed 8/1/06 have been fully considered but they are not persuasive.

Regarding claim **19**, Applicant argues that *Sherman* does not teach Applicant's CCHC circuit and that consequently, there is no description of Applicant's predetermined time interval.

However, on column 3, lines 3-14, *Sherman* speaks of a hybrid AP (HAP) that supports both the 802.11 and HIPERLAN/2 standards. Referring to Applicant's specification on page 12, lines 5-10, "a hybrid H2 centralized controller (CC) and a 802.11a/e coordinator (HC) (hereafter referred to as "CCHC")... communicates with all the 802.11a/e stations and the H2 mobile terminals located within the same BSS on a continuing basis to provide communication over the wireless channel". Therefore, Applicant's CCHC circuit is defined to be a hybrid device that supports both the 802.11 and HIPERLAN/2 standards. It is held that the HAP spoken of in *Sherman* corresponds to this.

Further, the 802.11 and H/2 phases shown in the superframe structure of Figure 5 constitute an interval of time of $1 \times 2\text{ms}$, $m \times 2\text{ms}$, or $n \times 2\text{ms}$, in which 802.11 stations or H/2 stations transmit data as spoken of on column 4, lines 16-17, provided by Applicant.

It is held that the allocated 802.11 and H/2 phases shown in Figure 5 constitute predetermined time intervals for first and second stations to initiate data transmission.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Moore, Jr. whose telephone number is (571) 272-3168. The examiner can normally be reached on Monday-Friday (8:00am - 4:30pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

mjm MM

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Examiner
Art Unit 2616
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SUPERVISORY PATENT EXAMINER
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10/16/06